

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

UNITED STATES OF AMERICA)	
)	
v.)	NO. 2:05-CR-105
)	
DARRELL LYNN TIPTON)	

ORDER

This criminal matter is before the Court to consider the Report and Recommendation of the United States Magistrate Judge dated November 25, 2009. [Doc. 30]. The Magistrate Judge recommends that the defendant's motion to dismiss based on a delay in prosecution be denied. The defendant has filed an objection to this report. [Doc. 40].

After careful *de novo* consideration of the Report and Recommendation of the United States Magistrate Judge, the defendant's objection to that Report and Recommendation, the defendant's motion to dismiss, the response of the government, the transcript of the hearing held on November 24, 2009, and for the reasons set out in that Report and Recommendation which, are incorporated by reference herein, it is hereby **ORDERED** that this Report and Recommendation is **ADOPTED** and **APPROVED**, and that the defendant's motion to dismiss is **DENIED**. [Doc. 16].

ENTER:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE